

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

AMADOU BAH,

24-cv-10076 (JGK)

Plaintiff,

ORDER

- against -

THE UNITED STATES OF AMERICA,

Defendant.

JOHN G. KOELTL, District Judge:

On December 29, 2024, the pro se plaintiff commenced this action. ECF No. 1. Because the plaintiff had not paid the filing fee, the summons did not issue when the plaintiff filed the complaint. On January 24, 2025, the plaintiff paid the filing fee and requested the issuance of summons. ECF No. 5.

On January 27, 2025, the Court extended the time to effect service on the defendant pursuant to Federal Rule of Civil Procedure 4 until 90 days after the date the summons issued. ECF No. 4. The Court also warned that the action may be dismissed without prejudice for failure to prosecute if the plaintiff failed either to serve the defendant or to request an extension of time to do so within those 90 days. Id.

The summons issued on February 13, 2025. ECF No. 6. Therefore, the time for the plaintiff to effect service on the defendant expired on May 14, 2025. See ECF No. 4.

On May 23, 2025, the Court extended the time for the plaintiff to serve the defendant to **June 13, 2025**. ECF No. 7. The Court also warned that failure to serve the defendant by **June 13, 2025** would result in dismissal without prejudice for failure to prosecute. Id.

To date, the plaintiff has not filed proof of service of the complaint and summons on the defendant. Nor has the plaintiff submitted any other update. This action is therefore **dismissed without prejudice** for failure to prosecute.

The Clerk of Court is directed to close any pending motions, cancel any pending conferences, and to close this case. The Clerk is also directed to mail a copy of this Order to the plaintiff, and to note such mailing on the docket.

SO ORDERED.

Dated: New York, New York
June 19, 2025



John G. Koeltl
United States District Judge